

IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

PATRICK BAILEY,	)	
	)	
Plaintiff,	)	
v.	)	CASE NO. 2:05-cv-1061-MEF
	)	
MILTOPE CORPORATION,	)	
	)	
Defendant.	)	

**ORDER**

It has come to the Court's attention that plaintiff's counsel has failed to comply with the dictates of Section 3 of the Uniform Scheduling Order (Doc. # 9) entered by this Court on January 10, 2006. Section 3 requires counsel for the plaintiff to file a "Notice Concerning Settlement Conference and Mediation" indicating whether settlement was reached at the mandatory face-to-face settlement conference, and if not, whether the parties believe mediation will assist them in resolving this case short of trial. Counsel for plaintiff is required to submit the Notice Concerning Settlement Conference and Mediation within five days of the face-to-face settlement conference. Pursuant to the Order of this Court the parties were to have conducted that face-to-face settlement conference no later than October 26, 2006.

It is therefore ORDERED that:

- a. Plaintiff's counsel file the Notice Concerning Settlement Conference and Mediation as soon as practicable but in no event later than **November 10, 2006.**

- b. Plaintiff's counsel must show cause by **November 10, 2006**, why the Court should not sanction him pursuant to Federal Rule of Civil Procedure 16(f) for failure to comply with the Uniform Scheduling Order in this case.

DONE this 3rd day of November, 2006.

/s/ Mark E. Fuller  
CHIEF UNITED STATES DISTRICT JUDGE